

IN THE U.S. DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CHARLES A. BLAIR,

Plaintiff,

vs.

PAPPAS RESTAURANTS, INC., D/B/A
PAPPADEAUX SEAFOOD KITCHEN, *et*
al.,

Defendant.

CASE NO. 1:20-CV-307

**DEFENDANT'S NOTICE OF
REMOVAL**

TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF OHIO, WESTERN DIVISION

1. Pappas Restaurants, Inc., d/b/a Pappadeaux Seafood Kitchen ("Pappas") is a Defendant in a civil action brought against it in the Court of Common Pleas for Hamilton County, Ohio, styled *Charles A. Blair v. Pappas Restaurants, Inc., d/b/a Pappadeaux Seafood Kitchen, et al.*, Case No. A2001265. Copies of all process and pleadings in that action are attached hereto as Exhibit A, pursuant to 28 U.S.C. §1446(A).
2. Said action was commenced by service of the Complaint on Pappas on March 20, 2020.
3. Plaintiff is a resident of the State of Indiana.
4. Pappas is a foreign corporation organized, registered and existing under the laws of the State of Texas and has its principal place of business in the State of Texas.
5. The within lawsuit is a controversy between citizens of different states, as to give rise to complete diversity of citizenship within the meaning of 28 U.S.C. §1332.
6. Plaintiff demand judgment against Pappas in an amount in excess of \$25,000.00, plus attorneys' fees, interest, and other costs. Pappas requested that Plaintiff stipulate that his

damages do not exceed \$75,000.00, however, Plaintiff refused to make such a stipulation. Due to the nature of the allegations and damages sought, it is Pappas' good faith belief that the amount in controversy exceeds the jurisdictional amount of \$75,000.00, exclusive of interest and costs, if all of its defenses fail and if Plaintiff prove all of his claimed damages as alleged in the Complaint.

7. This is a civil action brought in a state court in which the United States District Court has original jurisdiction because of diversity of citizenship, and Pappas is not a citizen of the State of Ohio, in which this action was brought.

8. Written notice of removal of this action has been given simultaneously herewith to Plaintiff's counsel and the Clerk of Courts for Hamilton County, Ohio.

WHEREFORE, Defendants hereby removes this action from the Court of Common Pleas for Hamilton County, Ohio, to this Court, pursuant to 28 U.S.C. §1441.

Respectfully submitted,

/s/ Nicholas P. Resetar

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ATTORNEYS FOR DEFENDANT

PAPPAS RESTAURANTS, INC. d/b/a

PAPPADEAUX SEAFOOD KITCHEN

PROOF OF SERVICE

A copy of the foregoing was served on this 16th day of April, 2020 electronically by way of the Clerk's electronic filing system.

/s/ Nicholas P. Resetar

Nicholas P. Resetar

Tyler M. Jolley

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